REMARKS

In this Amendment, Applicant has cancelled Claims 1 – 3 and 7 – 9 without prejudice or disclaimer, and amended Claim 4 to specify different embodiments of the present invention and overcome the rejection. It is respectfully submitted that no new matter has been introduced by the amended claims. All claims are now present for examination and favorable reconsideration is respectfully requested in view of the preceding amendments and the following comments.

REJECTIONS UNDER 35 U.S.C. § 112 FIRST PARAPGRAPH:

Claims 1 – 6 have been rejected under 35 U.S.C. § 112, first paragraph, as allegedly containing subject matter which was not described in the specification in full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains to make and use the invention.

It is respectfully submitted that in view of the present amendments to the Claims 1 – 6, the rejection has been overcome. At first, Claims 1 – 3 have been cancelled. Thus, the rejection to these claims is moot. In addition, the Examiner admitted that the specification being enabled for glycoproteins from blood serum, liver, thymus or eye, which is the subject matter claimed in Claims 4 – 6 (see descriptions of Examples 3 on page 13, Example 12 on page 26 and Example 17 on page 26 about glycoprotein from eyes; Example 4 on page 13 about glycoprotein from livers; Example 5 of page 14 about glycoprotein from livers; and Example 6 of page 15 about glycoprotein from thymus). Therefore, it is incorrect to reject Claims 4 – 6 as not being enabled by the specification. In addition, Applicant respectfully submits that the claimed glycoprotein, pharmaceutical composition and method of use are sufficiently supported by the descriptions in the specification, such as Examples 1 – 17 of the specification. These examples specify the steps need to be taken to make and use the glycoprotein as presently claimed. It is respectfully submitted that a person skilled in the art will can make and use the present invention as disclosed.

Therefore, the rejection under 35 U.S.C. § 112, first paragraph has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. § 112, first paragraph, is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §102 and §103:

Claims 1 – 6 have been rejected under 35 U.S.C. §102(b) and §103(a) as allegedly being anticipated or unpatentable over Karler et al. (US 4,169,139), hereinafter Karler.

Applicant traverses the rejection and respectfully submits that the embodiments of present-claimed invention are not anticipated by or obvious over Karler. It is respectfully submitted that there are significant differences between the embodiments of the present invention and the disclosure in Karler. At first, Claims 1 – 3 have been cancelled. Thus, the rejection to these claims is moot. In addition, Claims 4 – 6 have been amended to define that the claimed glycoprotein has specific biological activity to influence viscoelastic properties of hepatocyte membranes in ultra low doses from 10^{-12} to 10^{-29} mol/liter and lower. The supports for the amendment can be found throughout the specification, for example, page 10, lines 8 from bottom and page 14, Example 5.

In order to determine whether it is possible to extract glycoprotein defined in the present invention by using the method disclosed in Karler, an expert in the field of chemistry of biologically active compounds, chemistry of synthetic and natural medicaments, Mr. Slysarenko Igor Sergeyevich, conducted a number of experiments and tests. A Declaration under 37 CFR 1.132 in hereby respectively submitted by Mr. Slysarenko Igor Sergeyevich regarding the experiments and tests. Mr. Slysarenko Igor Sergeyevich's resume is also enclosed for Examiner's reference.

More specifically, as shown by the Declaration, according to the procedures disclosed in Karler, biologically active mucoprotide products have been extracted from cattle liver, cattle eye tissue, cattle blood serum, human bile, placenta, spleen, kidney, pancreas and pituitary gland. These biologically active mucoprotide products were

examined for the presence of specific biological activity to influence viscoelastic properties of hepatocyte membranes in ultra low doses from 10^{-12} to 10^{-29} mol/liter and lower according to the procedures set forth in the present application (for example, page 10). As the results of the experiments and tests have shown, the isolated biologically active mucoprotide products according to Karler do not exhibit any specific biological activity consisting in the influence on viscoelastic properties of hepatocyte membranes in ultra low doses from 10^{-12} to 10^{-29} mol/liter and lower (see Figs. 1 – 11 attached to the Declaration). Therefore, the embodiments of the present invention as claimed are different from the disclosures in Karler. Without motivation or reasonable expectation of success, a person of ordinary skill in the art will not modify Karler to achieve the present invention as claimed.

Therefore, the rejections under 35 U.S.C. §102(b) and §103(a) has been overcome. Accordingly, withdrawal of the rejections under 35 U.S.C. §102(b) and §103(a) is respectfully requested.

Having overcome all outstanding grounds of rejection, the application is now in condition for allowance, and prompt action toward that end is respectfully solicited.

Respectfully submitted,

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By _____
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Enclosure:
Declaration under 37 CFR 1.132 and Resume of Mr. Slysarenko Igor Sergeyevich